

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA

v.

ELIZABETH UWAGBOI-UGBECHE (04)
BYRON FELTON CONNER (06)

No. 3:15-CR-164-B

UNOPPOSED MOTION TO CONTINUE SENTENCING HEARINGS

The government moves to continue the sentencing hearings of defendants Byron Felton Conner and Elizabeth Uwagboi-Ugbeche (Ugbeche) until on or after December 1, 2016, and in support thereof, shows the following:

I.

Conner entered a guilty plea to Count 1 of a single-count superseding information that charged him with Conspiracy to Commit Health Care Fraud in violation of 18 U.S.C. § 371 (18 U.S.C. § 1347). (Dkt. 125 & 141). Ugbeche entered a guilty plea to Count 1 of a single-count superseding information that charged her with Conspiracy to Commit Health Care Fraud in violation of 18 U.S.C. § 371 (18 U.S.C. § 1347). (Dkt. 143).

Conner is currently scheduled to be sentenced on October 27, 2016, and Ugbeche is currently set to be sentenced on November 3, 2016. Three of Conner's and Ugbeche's codefendants in this case are scheduled for trial on November 7, 2016. This Court recently reset the sentencing hearing for Conner's and Ugbeche's codefendant, Foluke Adeoye, to December 1, 2016.

II.

Conner and Ugbeche entered into plea agreements with the government in which they each agreed to give “complete and truthful information and/or testimony concerning [their] participation in the offense of conviction.” (Dkt. 116 ¶6 & 116 ¶7).

The government may call Conner and Ugbeche as witnesses at the upcoming trial of their coconspirators. In order for this Court to adequately consider any such cooperation provided by Conner and Ugbeche when determining whether to accept their plea agreements, the government respectfully requests that their sentencing hearings be continued until after the conclusion of their coconspirators’ trial.

III.

The requested continuance will in no way prejudice Conner and Ugbeche, who remain on conditions of pretrial release. Conner and Ugbeche are not opposed to this motion.

WHEREFORE, the government respectfully requests that this Court continue Conner’s and Ugbeche’s sentencing hearings until on or after December 1, 2016.

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Respectfully submitted,

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UNITED STATES ATTORNEY

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CERTIFICATE OF CONFERENCE

I certify that I conferred with Deborah Kernan, counsel for Byron Felton Conner, and with Paul T. Lund, counsel for Elizabeth Uwagboi-Ugbeche, on August 30, 2016, and they do not oppose the government's request to continue the sentencing hearings.

/s/ Douglas B. Brasher
DOUGLAS B. BRASHER

CERTIFICATE OF SERVICE

I hereby certify that on August 30, 2016, I electronically filed the foregoing Unopposed Motion to Continue Sentencing Hearings with the clerk for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court. The electronic case filing system sent a "Notice of Electronic Filing" to Deborah Kernan, counsel for Byron Felton Conner, and with Paul T. Lund, counsel for Elizabeth Uwagboi-Ugbeche.

/s/ Douglas B. Brasher
DOUGLAS B. BRASHER